

38-10(15849)B

Amendments to the claims:

Please cancel claim 29 without prejudice and amend the claims as follows.

Claim 11. (Twice Amended) A substantially purified nucleic acid molecule encoding a nitrite reductase comprising SEQ ID NO: 11926.

Claim 12. (Twice Amended) A substantially purified first nucleic acid molecule which is complementary to the entire sequence of the nucleic acid molecule of claim 1, wherein said first nucleic acid molecule and said nucleic acid molecule of claim 1 hybridize to one another under at least low stringency conditions of washing with a salt solution having a concentration of about 2.0X sodium chloride/sodium citrate (SSC) at 50°C.

Claim 17. (Thrice Amended) A transformed cell or organism having an exogenous nucleic acid molecule which comprises:

- (a) a promoter region which functions in said cell or organism to cause the production of a mRNA molecule; wherein said promoter region is linked to
(b) a nucleic acid molecule of claim 11.

Claim 38. (Amended) A substantially purified nucleic acid molecule encoding nitrite reductase, wherein said nucleic acid molecule has at least 70 percent identity to the entire sequence of SEQ ID NO:4639.

Claim 39. (Amended) The substantially purified nucleic acid molecule of claim 38, wherein said nucleic acid molecule has at least 90 percent identity to the entire sequence of SEQ ID NO:4639.

Claim 40. (New) A recombinant DNA construct for expression of a nitrite reductase gene in a plant cell, wherein said construct comprises a promoter functional in a plant cell operatively linked to a nucleic acid molecule which hybridizes to a nucleic acid molecule comprising the entire sequence of SEQ ID NO:4639 under at least low stringency conditions of washing with a salt solution having a concentration of about 2.0 X sodium chloride/sodium citrate (SSC) at 50°C.

Claim 41. (New) The recombinant DNA construct of claim 40, wherein said stringency conditions are at least 0.2 X SSC at 50°C.